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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTER FOR ENVIRONMENTAL
HEALTH *et al.*,

Plaintiffs,

v.

THOMAS VILSACK, in his official capacity as
Secretary of U.S. Department of Agriculture *et al.*,

Defendants.

Case No. 3:18-cv-01763-RS

JOINT STATUS REPORT AND
STIPULATION TO CONTINUE STAY

JOINT STATUS REPORT AND STIPULATION TO CONTINUE STAY

Pursuant to Local Rule 7-12 and the stipulated order entered June 21, 2021, ECF No. 142, the Plaintiffs—Center for Environmental Health; Center for Food Safety; Cultivate Oregon; International Center for Technology Assessment; National Organic Coalition; Animal Legal Defense Fund; and Humane Society of the United States—and Defendants—Thomas Vilsack, Secretary of the U.S. Department of Agriculture; Bruce Summers, Administrator of the Agricultural Marketing Service; Jennifer Tucker, Ph.D., Deputy Administrator of the National Organic Program; and United States Department of Agriculture (USDA)—through their respective undersigned counsel, hereby state as follows:

1. On January 22, 2021, the parties sought a limited 30-day stay to explore the potential for an agreement that would allow resolution of this matter without further litigation. This Court granted the stay, ECF No. 134, and ordered a joint status report by March 19, 2021.

2. On March 19, 2021 the parties provided a joint status report that sought an additional 30-day stay to allow for continued discussions around an agreement to resolve the litigation. ECF No. 135.

3. The parties filed a similar joint status report on April 20, 2021 and the Court ordered an additional 30-day stay. ECF No. 137, 138.

4. On May 20, 2021, the parties sought and were granted an additional 30-day stay to continue settlement discussions. ECF Nos. 139, 140.

5. On June 17, 2021, the parties sought an additional 30-day stay and it was granted on June 21, 2021. ECF Nos. 141, 142.

6. Plaintiffs and Defendants met and conferred following the latest stay order, most recently on July 16, 2021. The discussion continues to be productive and the parties are working to memorialize their points of agreement and reach an agreement in principle. However, the parties are still negotiating key points, and their efforts to make further progress have been slowed by the press of work in other cases and pre-scheduled summer vacation plans. To allow for continued

efforts to resolve the litigation without further briefing, the parties seek an additional 30-day stay. The parties intend this to be the final stay absent reaching an agreement in principle by August 20, 2021 or other unforeseen circumstances.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that these proceedings should be stayed for an additional 30 days, with a joint status report no later than August 20, 2021.

Dated: July 21, 2021

Respectfully submitted,

/s/ George A. Kimbrell

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Attorney for Defendants

ORDER

Having considered the parties' joint stipulation to continue the stay of these proceedings pending the parties' settlement discussions, and good cause appearing, the Court hereby ORDERS that this proceeding will continued to be STAYED for an additional 30 days, ending August 20, 2021. The parties shall submit a joint status report regarding further proceedings no later than that date.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 23rd, 2021



HON. RICHARD SEEBORG
United States District Judge